

KEEPING
YOUR
WORKplace
SAFE



Q's & A's
for SMALL
BUSINESS
Employers

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Enacted by the Congress on March 29, 1996, the *Small Business Regulatory Enforcement Fairness Act* (SBREFA), contains six main components to help small businesses:

1. Simplified Regulatory Compliance:

Federal agencies must develop comprehensive guidelines in plain English for all rules that have a significant small business impact. In addition, each agency must establish a process for responding to small business inquiries about how to comply with federal agency regulations.

2. Equal Access to Justice Amendments:

Small businesses have expanded authority to recover attorney's fees and costs when a federal agency has been found to be excessive in enforcing federal regulations.

3. Congressional Review of Rules:

Federal agencies must submit their final rules to the Congress for review. The Congress can disapprove a rule under an expedited procedure established by SBREFA.

4. Regulatory Enforcement Reform of Penalties:

Each agency must develop a policy to provide for the reduction and, in appropriate circumstances, the waiver of civil penalties for violations of a regulation by a small business.

5. Small Business Advocacy Review Panels:

The Environmental Protection Agency and OSHA must take additional steps to involve small businesses in the development of their proposed rules. If a proposed rule may have a significant impact on small businesses, the agency must establish a government panel to receive input from affected small businesses. The panel then submits a report to the agency. The agency considers the issues raised in the report and places the report in the public docket.

6. Oversight of Regulatory Enforcement:

SBA must appoint a Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Small Business Regulatory Fairness Boards to allow small businesses an opportunity to comment on enforcement activities of federal regulatory agencies. The National Ombudsman and the Fairness Boards will receive comments about federal compliance and enforcement activities and report these findings annually to the Congress.

SMALL BUSINESS OMBUDSMAN:

If you are a small business entity, you may participate in the regulatory process and comment on OSHA enforcement actions by calling **1-888-REG-FAIR**.

Why is safety and health important for a small business owner like me?

As an employer, you have a duty to protect your workers from injury and illness on the job. Protecting

workers also makes good business sense. Accidents and injuries are more expensive than many realize. Costs mount up quickly. But substantial savings in workers' compensation and lost workdays are possible when injuries and illness decline. The Occupational Safety and Health Administration (OSHA) can help you.

How can I reduce employee injuries and illnesses?

Compliance with OSHA regulations is essential.

Compliance along with an effective voluntary safety and health program can help reduce your costs and injuries and illnesses. An organized, carefully crafted plan that systematically focuses on workplace hazards and employee training is critical. Buy-in from every manager and employee is essential. Everyone has to work at safety and health.

How do I develop this program?

Each safety and health program should be tailored to fit the company, to blend with

its unique operations and culture, and to help employers maintain a system that continually addresses workplace hazards. There are **four elements** that every effective program should have: *management leadership and employee involvement, workplace analysis, hazard prevention and control, and safety and health training and education.*

What do you mean by management commitment and employee involvement?

Employers and employees work together

to make safety and health a priority. Employer and employee involvement and communication on workplace safety

and communication on workplace safety and health issues are essential. For example, this partnership can be achieved when you:

- Post the company's written safety and health policy for all to see
- Involve employees in policymaking on safety and health issues
- Take an active part in safety activities
- Hold meetings that focus on employee safety and health
- Abide by all safety and health rules
- Show your commitment by investing time, effort, and money in your safety and health program.

What's a worksite analysis and how often do I have to do it?

A worksite analysis means that you and your employees analyze all worksite conditions to

identify and eliminate existing or potential hazards. This should be done on a regular and timely basis. There should be a current hazard analysis for all jobs and processes that all employees know and understand. To do this, you could:

- Request a free OSHA Consultation visit
- Become aware of hazards in your industry
- Create safety teams
- Encourage employees to report workplace hazards
- Examine history of worksite conditions
- Have an adequate system for reporting hazards
- Have trained personnel conduct inspections of the worksite and correct hazards
- Ensure that any changes in process or new high-hazard facilities are reviewed by a competent person
- Seek assistance from safety and health experts.

After I identify hazards at my worksite, how can I prevent or control them?

The next part of a good safety and health program means that you continually review your work environ-

ment and work practices **to control or prevent workplace hazards**. This can be done when you:

- Regularly and thoroughly maintain equipment
- Ensure that hazard correction procedures are in place
- Ensure that employees know how to use and maintain personal protective equipment
- Ensure that all employees understand and follow safe work procedures
- Make sure that, where necessary, you have a medical program tailored to your facility to help prevent workplace hazards and exposures.

What else do I need to know? I am no safety expert. How do I know what to look for?

It is important that **everyone** in the workplace **be properly trained**, from the

floor worker to the supervisors, managers, contractors, and part-time and temporary employees. This can be done when you:

- Allow only properly authorized and instructed employees to do any job
- Make sure no employees do any job that appears unsafe
- Hold emergency preparedness drills for employees
- Pay particular attention to employees learning new operations to make sure they have the proper job skills and awareness of hazards
- Train supervisors and managers to recognize hazards and understand their responsibilities.

What is the OSHA Consultation visit you mentioned?

OSHA operates various voluntary compliance programs to assist small employers. The

OSHA Consultation Service helps employers find out about potential hazards and how to improve their occupational safety and health management. **A visit from OSHA consultation is always at the employer's request.** The service offers workplace safety and health training and technical assistance. Consultation is a free service largely funded by OSHA and operated by state government agencies using well-trained safety and health staff. This service is completely separate from OSHA's inspection effort; no citations are issued or penalties proposed.

The visit begins with an opening conference between the consultant and the employer followed by a walkaround of the worksite. For more information on consultation service, contact your state plan listed below or visit **Programs and Services**, or **Directory** on OSHA's Web site at <http://www.osha.gov/>.

Can I get other help from OSHA?

OSHA also provides other services and assistance to help small businesses. These include:

- **Grants:** OSHA gives training and education grants to various non-profit groups to develop programs to help small businesses establish safety and health programs. For more information on grants, see *Training and Education*.
- **Mentoring:** OSHA's Voluntary Protection Programs (VPP) recognize worksites where employers and employees work together to achieve safety and health excellence. Small firms can be matched with and mentored by a VPP site that will share its safety and health experience and expertise. For more information on VPP, contact your VPP coordinator in your nearest OSHA regional office.

- **Safety and Health Achievement Recognition Program (SHARP):** Part of the Consultation Program, SHARP also recognizes exemplary employers who take special pride in providing a safe and healthful work environment for their employees and who meet specific program criteria. Employers who qualify receive a 1-year exemption from OSHA's general schedule inspections.
- **Training and Education:** OSHA's Training Institute in Des Plaines, IL, and OSHA's Training Education Centers provide basic and advanced courses in safety and health. OSHA's area offices offer information services, such as audiovisual aids, technical advice, and speakers for special engagements. For more information, contact the Institute at 1555 Times Drive, Des Plaines, IL 60018, (847) 297-4810, or fax (847) 297-4874. A list of courses also can be found under **Programs and Services** on OSHA's Web site at <http://www.osha.gov/>.
- **State Plans:** Twenty-five states operate their own federally approved occupational safety and health programs. These states conduct most OSHA enforcement through their own standards, which are at least as effective as Federal OSHA's, but may have different or additional requirements. Many states offer additional programs of assistance to small businesses. For more information on state plans, see the list of plans at the end of this brochure or visit **Programs and Services**, or **Directory** on OSHA's Web site at <http://www.osha.gov/>.
- **Electronic Information - Internet:** OSHA standards, interpretations, directives, interactive software, compliance assistance materials, and additional information are available or can be ordered on the World Wide Web at <http://www.osha.gov/>.
- **CD-ROM:** includes directives, standards, interpretations, and other materials on CD. Available from the U.S. Government Printing Office, Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250-7954 or at (202) 512-1800. Specify *OSHA Regulations, Documents,*

and Technical Information on CD-ROM, (ORDT), Order No. S/N729-013-00000-5; \$38 per year and \$15 per single copy. Issued quarterly.

- **Publications:** OSHA has many published materials, including specific topics for small businesses, that are available or can be ordered online at <http://www.osha.gov/>. Publications lists and single copies of various OSHA materials can be obtained by sending a self-addressed label to the OSHA Publications Office, P.O. Box 3753, Washington, DC 20013-7535, or by calling (202) 219-4667.

Of particular interest may be the *OSHA Handbook for Small Business* (OSHA 2209) and *Assessing the Need for Personal Protective Equipment: A Guide for Small Business Employers* (OSHA 3151). These booklets are sold by the Superintendent of Documents, U.S. Government Printing Office, P.O. Box 37194, Pittsburgh, PA 15250-7954; phone (202) 512-1800; fax (202) 512-2250. For OSHA 2209, Order No. 029-016-00176-0; cost \$2.25; for OSHA 3151, Order No. 029-016-00179-4; cost \$4.25. Documents may also be ordered online through GPO's Web site at <http://www.gpo.gov/>.

OSHA regulations are contained in *Title 29 of the Code of Federal Regulations*, Parts 1904 (Recordkeeping), 1910 (General Industry), 1915 through 1925 (Maritime), 1926 (Construction), and 1928 (Agriculture). All OSHA regulations are available or can be ordered online at <http://www.osha.gov/>. Printed copies of OSHA regulations are sold by the Government Printing Office and can be ordered online as indicated above.

- **Small Business Liaison:** OSHA's liaison is available to answer questions on small business issues at 202-219-6091, extension 124.
- **Emergencies:** For life-threatening situations **only**, call **1-(800) 321-OSHA**. Complaints will go immediately to the nearest OSHA area or state office for help.

OSHA Regional Offices

REGION I

(CT,* MA, ME, NH, RI, VT*)
JKF Federal Building, Room E-340
Boston, MA 02203
Telephone: (617) 565-9860

REGION II

(NJ, NY,* PR,* VI*)
201 Varick Street, Room 670
New York, NY 10014
Telephone: (212) 337-2378

REGION III

(DC, DE, MD,* PA, VA,* WV)
Gateway Building, Suite 2100
3535 Market Street
Philadelphia, PA 19104
Telephone: (215) 596-1201

REGION IV

(AL, FL, GA, KY,* MS, NC,
SC,* TN*)
Atlanta Federal Center
61 Forsyth Street, SW, Room 6T50
Atlanta, GA 30303
Telephone: (404) 562-2300

REGION V

(IL, IN,* MI,* MN,* OH, WI)
230 South Dearborn Street
Room 3244
Chicago, IL 60604
Telephone: (312) 353-2220

REGION VI

(AR, LA, NM,* OK, TX)
525 Griffin Street, Room 602
Dallas, TX 75202
Telephone: (214) 767-4731

REGION VII

(IA,* KS, MO, NE)
City Center Square
1100 Main Street, Suite 800
Kansas City, MO 64105
Telephone: (816) 426-5861

REGION VIII

(CO, MT, ND, SD, UT,* WY*)
1999 Broadway, Suite 1690
Denver, CO 80202-5716
Telephone: (303) 844-1600

REGION IX

(American Samoa, AZ,* CA,*
Guam, HI,* NV,* Trust Territories
of the Pacific)
71 Stevenson Street, Suite 420
San Francisco, CA 94105
Telephone: (415) 975-4310

REGION X

(AK,* ID, OR,* WA*)
1111 Third Avenue, Suite 715
Seattle, WA 98101-3212
Telephone: (206) 553-5930

States with Approved Plans

COMMISSIONER

Alaska Department of Labor
1111 West 8th Street, Room 306
Juneau, AK 99801
(907) 465-2700

DIRECTOR

Industrial Commission of Arizona
800 W. Washington
Phoenix, AZ 85007
(602) 542-5795

DIRECTOR

California Department
of Industrial Relations
45 Fremont Street
San Francisco, CA 94105
(415) 972-8835

COMMISSIONER

Connecticut Department of Labor
200 Folly Brook Boulevard
Wethersfield, CT 06109
(203) 566-5123

DIRECTOR

Hawaii Department of Labor
and Industrial Relations
830 Punchbowl Street
Honolulu, HI 96813
(808) 586-8844

COMMISSIONER

Indiana Department of Labor
State Office Building
402 West Washington Street
Room W195
Indianapolis, IN 46204
(317) 232-2378

COMMISSIONER

Iowa Division of Labor Services
1000 E. Grand Avenue
Des Moines, IA 50319
(515) 281-3447

SECRETARY

Kentucky Labor Cabinet
1047 U.S. Highway, 127 South
Suite 2
Frankfort, KY 40601
(502) 564-3070

COMMISSIONER

Maryland Division of Labor
and Industry
Department of Labor Licensing
and Regulation
1100 N. Eutaw Street, Room 613
Baltimore, MD 21201-2206
(410) 767-2215

DIRECTOR

Michigan Department of Consumer
and Industry Services
4th Floor, Law Building
P.O. Box 30004
Lansing, MI 48909
(517) 373-7230

COMMISSIONER

Minnesota Department of Labor
and Industry
443 Lafayette Road
St. Paul, MN 55155
(612) 296-2342

ADMINISTRATOR

Nevada Division of Industrial
Relations
400 West King Street
Carson City, NV 89710
(702) 687-3032

SECRETARY

New Mexico
Environment Department
1190 St. Francis Drive
P.O. Box 26110
Santa Fe, NM 87502
(505) 827-2850

COMMISSIONER

New York Department of Labor
W. Averell Harriman State Office
Building - 12, Room 500
Albany, NY 12240
(518) 457-2741

COMMISSIONER

North Carolina Department
of Labor
319 Chapanoke Road
Raleigh, NC 27603
(919) 662-4585

ADMINISTRATOR

Department of Consumer
and Business Services
Occupational Safety and Health
Division (OR-OSHA)
350 Winter Street, NE, Room 430
Salem, OR 97310-0220
(503) 378-3272

SECRETARY

Puerto Rico Department of Labor
and Human Resources
Prudencio Rivera Martinez Building
505 Munoz Rivera Avenue
Hato Rey, PR 00918
(787) 754-2119

DIRECTOR

South Carolina Department
of Labor
Licensing and Regulation
Koger Office Park,
Kingstree Building
110 Centerview Drive
P.O. Box 11329
Columbia, SC 29210
(803) 896-4300

COMMISSIONER

Tennessee Department of Labor
710 James Robertson Parkway
Nashville, TN 37243-0659
(615) 741-2582

COMMISSIONER

Industrial Commission of Utah
160 East 300 South, 3rd Floor
P.O. Box 146650
Salt Lake City, UT 84114-6650
(801) 530-6898

COMMISSIONER

Vermont Department of Labor
and Industry
National Life Building
Drawer 20
120 State Street
Montpelier, VT 05620
(802) 828-2288

COMMISSIONER

Virginia Department of Labor
and Industry
Powers-Taylor Building
13 South 13th Street
Richmond, VA 23219
(804) 786-2377

COMMISSIONER

Virgin Islands Department
of Labor
2131 Hospital Street, Box 890
Christiansted
St. Croix, VI 00820-4666
(809) 773-1994

DIRECTOR

Washington Department of Labor
and Industries
General Administrative Building
P.O. Box 44001
Olympia, WA 98504-4001
(360) 902-4200

ADMINISTRATOR

Worker's Safety and
Compensation Division (WSC)
Wyoming Department
of Employment
Herschler Building, 2nd Floor East
122 West 25th Street
Cheyenne, WY 82002
(307) 777-7786

**These states and territories
operate their own OSHA-approved
job safety and health programs
(Connecticut and New York plans
cover public employees only).
States with approved programs
must have a standard that is
identical to, or at least as effective
as, the federal standard.*



U.S. Department of Labor
Occupational Safety and Health